

REMARKS

Applicants submit this Amendment and Response in reply to the Official Action dated November 14, 2008. Applicants believe that the Amendment and Response is fully responsive to the Official Action for at least the reasons set forth herein.

At the onset, Applicants would like to thank the Examiner for taking the time to conduct a telephone interview. During the interview, the cited references were discussed vis-à-vis the limitations recited in the independent claim. Applicants argued that none of the cited references teach or suggest the claimed invention which includes a bellows portions. For example, Applicants noted that Chikama teaches that a fiber optical system is passed through the entire length of the bellows portion. Therefore, the bellows portion described in Chikama eliminates a need to provide a bellows portion which provides a mechanism to allow three-dimensional deformations because light is conducted along the fiber in any orientation. In contrast, the claimed bellows portion effectively separates the imaging elements from the optical elements. Therefore, the claimed invention is not obvious in view of the cited references. Applicants proposed amending claim 18 to recite, *inter alia*, a "hollow bellows portion". The Examiner agreed that such an amendment would overcome the current rejection.

Accordingly, Applicants have amended claim 18 as proposed. Applicants also respectfully submit new claim 42 for examination. New claim 42 recites, *inter alia*, that the imaging element support member and the optical system support member are separated by the hollow bellows portion. No new matter has been added to the application by way of the aforementioned amendments.

For example, Applicants direct the Examiner's attention to Fig. 2 and its corresponding description.

Applicants submit that all of the pending claims are patentable over the cited references, whether taken alone or in any hypothetical combination based at least upon the above-identified analysis. Claims 18-20 and 22-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi (previous cited) in view of Chikama (previously cited) and in view further of Akui et al., U.S. Patent No. 5,577,991 (Akui). Claims 29-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi, Chikama, Akui and MacKinnon.

Applicants respectfully submit that Takahashi, Chikama, Akui and MacKinnon fail to teach all of the limitations of the claims. Specifically, Applicants respectfully submit that the cited references fail to suggest or render obvious having a hollow bellows portion, as recited in the independent claim.

Therefore, claim 18 is patentable over the cited combination.

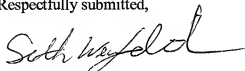
Claims 19, 20, 22-42 are patentable over the cited combination based at least upon the above-identified analysis and in view of their dependency, whether directly or indirectly, from claim 18.

Additionally, Applicants further submit that the cited combination fails to teach that the imaging element support member and the optical system support member are separated by the hollow bellows portions, as recited in new claim 42. Notably, Chikama teaches that the optical system passes through the bellows portion.

Based upon the foregoing, Applicants respectfully request that the Examiner to withdraw the rejections of claims 18-20 and 22-41 pursuant to 35 U.S.C. § 103(a). Applicants respectfully request that the Examiner allow new claim 42.

In conclusion, the Applicants believe that the above-identified application is in condition for allowance and henceforth respectfully solicit the Examiner to allow the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicants respectfully request the Examiner call the undersigned, at the following telephone number (516)-742-4343.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Seth Weinfeld", with a stylized flourish at the end.

Seth Weinfeld

Registration No: 50,929

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
516-742-4343
SW:reg